

CYLA News

**California Young Lawyers Association
The State Bar of California**



*Representing and advocating the interests and needs of the young
and new lawyer members of The State Bar of California.*

MARCH 2, 2006

VOLUME 1, NUMBER 1

UPCOMING EVENTS:

2006

March

15th – Nomination Deadline
for the Jack Berman Award
of Achievement

April

3rd – Nomination Deadline
for Open CYLA Board Seats

22nd – CYLA 2006 Career
Symposium, Loyola School
of Law Campus

May

18th – 20th – ABA-YLD Spring
Conference, Portland,
Oregon

June

New Admittee Swearing-in
Ceremonies (February
Exam)

August

3rd – 6th – ABA-YLD Annual
Meeting, Honolulu, Hawaii

October

5th – 8th State Bar of
California Annual Meeting,
Monterey

December

New Admittee Swearing-in
Ceremonies (July Exam)

CYLA Launches E-Newsletter for Newer Attorneys

Welcome to the inaugural edition of *CYLA News*, a quarterly electronic newsletter to provide you with practical tips about lawyering and to inform you about bar-related events and opportunities for newer attorneys statewide.

What is CYLA?

Today, nearly a quarter of the State Bar's active members are CYLA members. All California attorneys who are in their first five years of practice or are 36 years of age or younger are automatically members of CYLA at no additional cost. Membership in CYLA is a benefit provided as a result of your status as a newer member of the State Bar of California. CYLA aims to promote the interests of newer attorneys statewide and is their voice to the State Bar Board of Governors, via CYLA's permanent seat on the State Bar's governing body. For more information about CYLA and its current projects, visit CYLA at www.calbar.org/cyla.

Subscribe to CYLA News

Just because you are a newer lawyer and automatically a CYLA member does not mean that you are automatically signed-up or subscribed to *CYLA News*. One thing you will find as a newer lawyer, you have to do many things on your own and one of those is subscribing to *CYLA News*.

So if you are reading this, but have not already subscribed, here is what to do: Go to the State Bar of California website - www.calbar.ca.gov. Once there, scroll down and on the left-hand side of the page is a link to CYLA. Click on the CYLA link. On the CYLA homepage you will find a link to the CYLA e-Newsletter. Double-click on the "[click here to subscribe](#)," follow the directions and you will be an official subscriber to *CYLA News*, and an informed lawyer. If you know other CYLA members who would benefit from *CYLA News*, please get them this information.

The other way to subscribe is to type the following link in and it will take you directly to the subscription page for *CYLA News*:
<http://members.calbar.ca.gov/lists/subscribe.aspx?l=cyla-news>.

What to expect from CYLA News

Each quarter CYLA will publish an e-newsletter that will provide practical tips for newer attorneys, profile newer attorneys who are leading the profession, highlight opportunities to get involved with public or member service projects, and list a calendar of events of the State Bar of California, CYLA and other local or national groups of newer attorneys. We intend *CYLA News* to be informative to our members as well as inspire you to get involved and to take advantage of your member benefits. If you have suggestions, concerns or would like to contribute to *CYLA News* please email us at: cyla@calbar.ca.gov

Thank you for your interest and I hope you find the issues of *CYLA News* insightful, informative, and helpful in your journey as a young lawyer.

Francis S. Ryu
President, CYLA

UPCOMING OPPORTUNITIES:

CYLA Board Nomination Petitions Available

In 2006, five seats on the California Young Lawyers Association (CYLA) Board of Directors will be up for election. Districts 1, 3, 5, 7, and 9 will each have one open seat. Any active member of the CYLA who maintains his or her principal office for the practice of law within the State Bar district in which there is a vacancy is eligible to run for a seat on the board. A map of the State Bar districts is online at:

http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=10103&id=971 .

Board members are elected for three-year terms and will assume their offices at the conclusion of the 2006 Annual Meeting in Monterey. Serving on the CYLA Board is an excellent opportunity to work with peers on statewide projects and hone leadership skills. CYLA Board alumni include members of the State Bar Board of Governors, prominent attorneys, and members of the judiciary. Nominating petitions will be available on Tuesday, February 1, 2006 and are due April 3, 2006. For additional information contact [Carol Madeja](#) at 213-765-1329.

Section Membership: What's in It for You?

Any of the 16 State Bar Sections can provide an instant network for newer attorneys. The Sections are voluntary groups who share an area of interest, usually in a particular area of practice. A Section can help a newer attorney to gain and maintain expertise in a field of law, expand professional contacts, and serve the profession, the public and the legal system. The annual fees to join a Section range from \$60 to \$70. While each Section has its own activities, many Sections provide:

- publication opportunities in Section magazines or newsletters;
- committees in which members may actively participate;
- continuing education seminars on timely topics throughout the year; and
- opportunities to draft or comment upon legislation, which upon approval of the State Bar Board of Governors' approval is made part of the State Bar's legislative program.

Each Section is governed by an executive committee which is appointed by the State Bar Board of Governors. To learn more about the Sections and join, visit the State Bar's website at:

http://www.calbar.ca.gov/state/calbar/calbar_sections_generic.jsp?cid=10161

PRACTICE TIP:

"There are few more valuable resources to a partner in a private law firm, or a supervisor in a public law office, than the associate whose work can be absolutely trusted. You want to be that resource."

USEFUL LINKS:

[ABA-Young Lawyers Division](#)

[Barrister Organizations](#)

[Ethics Hotline](#)

[Lawyer Assistance Program](#)

[Legal Research](#)

[MCLE Compliance Information](#)

[Member Services](#)

PRACTICAL TIPS:

Musings of He with the Low Bar Number

By William E. Paterson

Having been in litigation practice for some 37 years, I was asked to share my "wisdom" with newer attorneys. The following observations are not so profound that they should be carried on a laminated card in your purse, wallet or briefcase but are a few of the basic ideas that have guided my own practice over the years. There are many others but these are not a bad start.

1. Hey I'm Not a Number - The economic reality is, those of us in private practice are in the business of converting our clients' problems into cash flow. The human reality is that many of our clients find themselves in stressful circumstances that cause sleepless nights, even without the added joy of our monthly bills. The best doctor in the world is rarely appreciated by a patient if she or he has the bedside manner of an ATM machine. Clients need our help and can usually sense when an attorney's interest in them is strictly clinical. You can never keep all clients happy (some clients are constitutionally incapable of being satisfied) but you must strive to convince each of your clients that they are not just another file and that you are personally invested in their case. That level of trust will allow you to perform one of an attorney's most difficult tasks - getting a client to do what is in their best interest when every fiber of their being wants absolute vindication. Such a relationship with your client will also minimize the times you are subjected to the fabled "whose side are you on anyway?"

2. I'd Like to Buy Ten Pounds of Interrogatories - Mindless discovery is one of the banes of litigation and is probably the single most expensive component of lawsuits. (Years ago I was a discovery referee in a case in which the parties collectively spent in excess of \$10,000 fighting over the date of a doctor's deposition.) Even without discovery "battles," discovery is an expensive proposition. Thus, at the beginning of a case see if there is a way of short-circuiting the process.

A brief "war story:" some years back I represented a company that performed specialized contracting services. A job in San Francisco went sour. Our client's story was that they did a great job and the other side were deadbeats. As will come as no surprise, the other side stated our clients did a miserable job, created more problems than they solved and should consider themselves lucky that they didn't owe money back. Big job, big money, a factual morass and both sides dug in. Litigation heaven for the attorney who sees a client as a cash register. Fortunately, our office and the attorneys on the other side took a far more practical view. We scheduled a meeting of all the relevant parties, not to negotiate a settlement, but to see if we could develop a basic outline of disputed and undisputed facts. In that half day meeting both sides learned more about the other's case than could have been achieved with months of discovery. The result? A week later we settled the case.

Whenever possible ask yourself the following question: "if I wasn't an attorney could I solve this problem?" That question can sometimes lead you down interesting paths.

3. Do It or Else (The Idle Threat Letter) - Every experienced litigator has received than his or her share of this enduring literary form. It is the demand letter in which your client is accused of being Satan's emissary on earth and told that, unless within "ten (10) days" your client has capitulated to "each and every demand," they will shortly be engulfed by a legal tsunami which will bring ruin to their remaining days on earth. However much this may impress the writer's unsophisticated client, I have never felt my knees knocking reading such an overwrought missive. Many years ago an attorney friend of mine penned the perfect reply: he told the sender he could save postage in the future by just copying the letter to the

client and tossing out all the other copies. You will get a much better reception and increase your chances of reaching an ultimate solution by a letter which in essence states: "My client has told me [fill in the blank]. I do not have any personal knowledge of the underlying facts but if what my client is telling me is correct then we believe the following [fill in the blank]. If you have any facts which would contradict the version I have been given then please call me." Every client who walks into your office is not garbed in the raiment of absolute virtue and in almost every case you can assume that there is another side to the story.

4. Marketing 101, Lesson 1 - Unless your uncle is Bill Gates' financial consultant, you will soon have to learn the secrets of "rainmaking." Before you slyly sidle up to a budding software tycoon at your local health club, there is a more important market for you to cultivate. You need to impress the folks you are doing work for at your office. Those giving you assignments will make judgments about the quality of your work and your enthusiasm for the task at hand. Those judgments will either jumpstart your career or haunt it. Once Partner A loses confidence in your work two things come into play 1) Partner A stops feeding you work, and 2) Partner A lets it be known to others in the office that he or she does not have confidence in your work. It is very difficult to climb back out of that hole. There are few more valuable resources to a partner in a private law firm, or a supervisor in a public law office, than the associate whose work can be absolutely trusted. You want to be that resource.

Partner, Ferguson, Case, Orr, Paterson & Cunningham, LLP, Ventura. Mr. Paterson practices civil litigation.

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PROJECT HIGHLIGHTS:

Making Pro Bono Manageable: CYLA Partners to Train and Mentor Newer Attorneys

The early years in the profession can seem overwhelming. Despite having a desire to help the public, many CYLA members raise the lack of opportunities for training and mentoring. Others also cannot easily identify pro bono activities for participation. Even if a pro bono activity is available, the fear is that it would consume too much time from our day jobs. Thankfully, CYLA has kicked off a program that merges the two to serve the needs of our membership.

CYLA is partnering with local legal services providers in areas around the state to provide training, mentoring, and manageable opportunities for newer attorneys to enjoy public service. For example, we have partnered with the San Mateo Legal Aid Society (SMLAS) for Guardianship training. SMLAS provided a 2-hour MCLE luncheon that covered the details of how to help people initiate and complete guardianship proceedings in family court. The training, now available on videotape and free for participants, was given by a veteran specialist, who is also one of the mentors for the program. Helping clients with guardianship fulfills a very important need. For example, a parent or both parents may be involved in rehab or prison time that puts their child in jeopardy of not having basic needs fulfilled. A relative or other caring adult who knows the child can become a temporary guardian to decide such things as medical care, where to go to school, and where the child should live.

CYLA has also teamed up with service providers in Sacramento and Ventura Counties, and is expanding the project to other areas around the state. The area of law addressed in the trainings is selected by the local legal service provider to meet the specific needs of the locale. The efforts in Sacramento County are for the Volunteer Legal Services Program's Debt Relief Clinic.

District 8
CHRISTELE DEMURO

District 9
MATTHEW B. BUTLER

[State Bar of California District Map](#)

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The clinic counsels individuals about collection actions, identity theft, and credit report issues. The Ventura County program addresses landlord-tenant issues and unlawful detainer actions.

CYLA's efforts are spearheaded by Board Member Feb Cabrasawan of Sunnyvale. Cabrasawan, an in-house attorney, is himself a participant in the program. "I have found it to be everything I hoped it would be," says Cabrasawan. "I was trained (I knew nothing about guardianship), had expert mentoring (as we know, experienced mentors are not easy to come by), and helped my community. As a side consequence, I networked with established members of the legal community. As we all know, networking is invaluable for a successful legal career." To get involved with CYLA's efforts, email cyla@calbar.ca.gov.

Deadline Approaches to Nominate Outstanding Newer Attorneys for Berman Award of Achievement

Do you know an attorney whose outstanding service to the legal profession or to the public deserves recognition? If so, consider submitting a nomination for the Jack Berman Award of Achievement for Distinguished Service to the Profession and the Public. In the past several years, CYLA presented the Jack Berman Award of Achievement to newer attorneys involved in legal clinics or pro bono cases involving HIV/AIDS patients, special education, toxic mold, and land use issues.

In 1992 CYLA established the Award of Achievement for Distinguished Service to the Profession and the Public to recognize the achievements in public service of a young lawyer or a lawyer who is in their first five years of practice. The following year the award was renamed in memory of Jack Berman, a young lawyer who was killed in the 1993 shooting at 101 California Street, San Francisco. Mr. Berman demonstrated outstanding service to the profession and the public by providing substantial pro bono legal assistance.

All submissions will be reviewed by the [CYLA](#) Board of Directors. The 2006 recipient will be announced prior to the presentation of the award at a reception held during the State Bar [Annual Meeting](#) in Monterey this October. More information and nomination forms are available at http://www.calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=11398&id=7084. The nomination deadline is March 15, 2006.

"SATURDAY SUGGESTIONS FOR DEFINING YOUR CAREER" SET FOR APRIL 22 IN LOS ANGELES

CYLA is presenting a day-long program on career development on April 22 at Loyola Law School Los Angeles. "Saturday Suggestions for Defining Your Career" will provide seminars by specially invited guests on topics such as marketing strategies for young lawyers, identifying options for a lateral move, time management, tips for making partner at a firm, opening your own law office, and alternative career paths. Legal recruiters and other service providers will be on hand to answer questions. Early registration for the event is \$40, which includes lunch and materials. The registration form will be posted on the CYLA web page www.calbar.ca.gov/cyla. The early registration deadline is April 7, 2006.

This communication contains information relating to your membership in The State Bar of California and its subsidiary California Young Lawyers Association (CYLA). If you do not wish to receive similar communications from CYLA please use the "Unsubscribe" option below. To unsubscribe from all State Bar lists, send an additional blank e-mail to: purge@calbar.org.

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